

EIGHTH DAY

(Wednesday, January 28, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Bell	Russell
Hazlewood	Weinert
Rogers of Travis	

A quorum was announced present.

The invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, in the holy hush of this moment, we would recognize thee as the giver of every good and perfect gift. Forgive us our sins, and give us grace to forgive those who may have trespassed against us. May we "behold how good and how pleasant it is for brethren to dwell together in unity." For Christ's sake. Amen.

On motion of Senator Moffett, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Lane.

Senator Bell was granted leave of absence for today on account of illness on motion of Senator Hardeman.

Senator Hazlewood was granted leave of absence for today on account

of important business on motion of Senator McDonald.

Senator Russell was granted leave of absence for today on account of important business on motion of Senator Wagonseller.

Senator Rogers of Travis was granted leave of absence for today on account of important business on motion of Senator Rogers of Childress.

Message From the House

Hall of the House of Representatives
Austin, Texas,
January 28, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 3, In memory of the Hon. D. F. Strickland.

S. C. R. No. 7, Congratulating Dwight D. Eisenhower and Mrs. Oveta Culp Hobby upon her appointment as Federal Security Administrator.

H. B. No. 144, A bill to be entitled "An Act fixing the salaries of the District Attorney, First Assistant District Attorney, Assistant District Attorneys and Investigators of the 34th Judicial District, and authorizing the Commissioners Court of El Paso County, Texas, in said 34th Judicial District, to pay the salaries of the said Assistants and Investigators and to supplement the salary of the District Attorney paid by the State of Texas; providing that the present existing law relating to the manner of selecting, determining the number, and fixing the amount of salaries to be paid the First Assistant District Attorney, Assistant District Attorneys and Investigators shall not be affected by this Act except as herein provided; providing, if a portion of this Act is declared invalid, it shall not affect the remaining portions; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committees indicated:

By Senator Wagonseller:

S. B. No. 79, A bill to be entitled "An Act to amend further Chapter 13, Acts of Second Called Session, 41st Legislature, creating Brazos River Conservation and Reclamation District, as amended, and to amend further Chapter 368, Acts of First Called Session of 44th Legislature, relating to such District, enacting other provisions related to the subject, repealing all laws and parts of laws in conflict herewith to the extent of such conflict; and declaring an emergency."

To the Committee on Water Rights, Irrigation and Drainage.

By Senator Latimer:

S. B. No. 80, A bill to be entitled "An Act amending Section 8(a) of Chapter 306, page 491, Acts of the 49th Legislature of Texas, Regular Session, enacted in 1945, and changing the terms of members of the Board of Directors for Bexar Metropolitan Water District, providing for new terms for the members of said Board for the holding of elections to elect members of said Board, the manner of selecting Directors to such respective terms and other matters incident thereto; and declaring an emergency."

To the Committee on Water Rights, Irrigation and Drainage.

By Senator Sadler:

S. B. No. 81, A bill to be entitled "An Act amending Subdivision 38 of Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of Texas, 1925, as amended, so as to provide that private corporations may be created for or, if presently created, may be so amended as to include one or more of the following purposes; namely, to establish and maintain an oil business and to establish and maintain a drilling business for the production of oil, gas, or water; and declaring an emergency."

To the Committee on Civil Jurisprudence.

By Senators Rogers of Childress and Willis:

S. B. No. 82, A bill to be entitled "An Act making it unlawful to sell, give or barter or cause to be sold, given or bartered to any minor under the age of eighteen (18) years or to sell to another for delivery to such minor any narcotic drug as defined in paragraph (14) of Section 1 of Ar-

ticle 725b of the Penal Code of the State of Texas, except as authorized by Chapter 3, Title 12 of the Penal Code of the State of Texas; prescribing the penalty for conviction for violation of this act; repealing all laws or parts of laws in conflict herewith to the extent of such conflict; and declaring an emergency."

To the Committee on Criminal Jurisprudence.

By Senator Wagonseller:

S. B. No. 83, A bill to be entitled "An Act amending House Bill No. 34, Acts of the 50th Legislature, Regular Session, 1947, Chapter 325, page 550, as last amended (codified as Article 1269m, Vernon's Annotated Texas Statutes), by amending Section 18 thereof, providing the subject matter, time and procedure for appeals from final decisions of the Civil Service Commission to District Courts; etc.; and declaring an emergency."

To the Committee on Civil Jurisprudence.

By Senator Corbin:

S. B. No. 84, A bill to be entitled "An Act creating the 122nd Judicial District of Texas to be composed of Lubbock County; prescribing the jurisdiction and fixing the terms thereof; providing that the District Clerk of Lubbock County shall serve as Clerk of the District Court of the 122nd Judicial District in Lubbock County; providing for the appointment of a Judge for the 122nd Judicial District; providing for the appointment of a District Attorney for the 122nd Judicial District; providing for the appointment and compensation of an official shorthand reporter for the 122nd Judicial District; providing for the transfer of cases between the District Courts of the 72nd, 99th and 122nd Judicial Districts; providing for the compensation of the Judge and of the District Attorney of the 122nd Judicial District and making an appropriation therefor; providing for severability; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

To the Committee on Judicial Districts.

By Senator Latimer:

S. B. No. 85, A bill to be entitled "An Act amending Chapter 276, House Bill No. 726, Acts 45th Legislature, Revised Statutes, as amended by

House Bill No. 542, Acts of the 46th Legislature, Special Laws, page 1083, by changing the name of "San Antonio River Canal and Conservancy District" to "San Antonio River Authority"; enlarging and redefining the area of said District; providing and changing certain powers thereof; increasing the amount of bonds which said District may issue, and providing certain powers and conditions relative to the issuance of said bonds; and declaring an emergency."

To the Committee on Water Rights, Irrigation and Drainage.

By Senator Wagoner:

S. B. No. 86, A bill to be entitled "An Act authorizing County Commissioners Courts to compensate constables and deputy constables for transportation or furnish adequate transportation within the State; etc.; and declaring an emergency."

To the Committee on State Affairs.

Senate Resolution 33

Senator Phillips offered the following resolution:

Whereas, It appears from present reports that a serious effort is now being made to induce the Congress of the United States to take the necessary steps toward completion of the Great Lakes-St. Lawrence Seaway and Power Treaty; and

Whereas, The Senate of the State of Texas, although actuated by every desire to cooperate with the Government in its plans for our National Defense, firmly believes that such a development would not be in the public interest in any manner, but would be hostile to the best interests of the State of Texas and of the United States, as it would disrupt and demoralize the transportation systems of the United States, land and water, and would disastrously affect the economic welfare of the country, and would particularly work a hardship on the Texas ports, and would cause irreparable injury to a large percentage of the public interests and labor of this State and Nation; now, therefore be it

Resolved, By the Senate of the State of Texas, that it go on record as being strongly opposed to this project; and, be it further

Resolved, That the Congress of the United States, and particularly the Senators and Representatives elected from the State of Texas, be memo-

rialized and requested to use their utmost influence in opposition to said project; and, be it further

Resolved, That a copy of this resolution be immediately transmitted to the Secretary of the United States Senate; the Speaker of the United States House of Representatives, and to each Senator and Representative elected from the State of Texas.

The resolution was read.

On motion of Senator Phillips, and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 36

Senator Hardeman offered the following resolution:

Whereas, Honorable Penrose B. Metcalfe of San Angelo is a visitor in the Capitol today; and

Whereas, Mr. Metcalfe was a former member of the Senate of Texas and is presently serving as a member of the State Board of Education, and was President of the Texas Sheep and Goat Raisers Association; and

Whereas, It is the desire of the Senate to recognize the presence of Mr. Metcalfe and to extend to him the courtesies of the floor for the day and to invite him to address the Senate, now, therefore, be it

Resolved, By the Senate of Texas that Honorable Penrose B. Metcalfe be extended the courtesies of the floor today, and that he be invited to address the Senate.

The resolution was read and was adopted.

The President pro tempore appointed Senators Hardeman, Aikin and Sadler to escort the Honorable Penrose Metcalfe to the President's stand.

The President pro tempore introduced Senator Aikin and Senator Aikin presented Mr. Metcalfe to the Senate.

Mr. Metcalfe addressed the Senate briefly.

Senate Resolution 37

Senator Willis offered the following resolution:

Whereas, We are honored today to have in the gallery Honorable Paul

Wilson, former House member from San Augustine; and

Whereas, Mr. Wilson is visiting in the Capital City today; now, therefore, be it

Resolved, That we officially recognize and welcome him and extend to him the privileges of the floor of the Senate.

The resolution was read and was adopted.

Senate Resolution 38

Senator Parkhouse offered the following resolution:

Whereas, We are honored to have with us today, John Kennedy England, student at Southern Methodist University and son of Kennedy England, of Dallas; and

Whereas, John England is visiting with us to observe our State Government in action; now, therefore, be it

Resolved, By the Senate of Texas, that John England be welcomed to the Senate and given privileges of the floor, and that a copy of this resolution be mailed to him.

The resolution was read and was adopted.

Messages From the Governor

The following messages, received from the Governor today, were read and were referred to the Committee on Nominations of the Governor:

Austin, Texas,
January 26, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Galveston Bar and Houston Ship Channel for two-year terms to expire January 15, 1955: C. W. Barfield of Harris County, J. E. McNary of Harris County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
January 26, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and con-

fimation of the Senate with respect to the following appointments:

To be Members of the Board of Trustees, Municipal Retirement System for terms to expire December 31, 1958: Walter E. R. Wilkins of Corpus Christi, Nueces County; Herbert W. Whitney of Big Spring, Howard County.

To be Members of the State Commission for the Blind for terms to expire January 1, 1959: W. Reginald Taylor of Columbus, Colorado County; Patricio J. Mendez of Austin, Travis County.

To be Members of the Board of Directors, Central Colorado River Authority for terms to expire January 1, 1959: R. G. Hollingsworth of Coleman, Coleman County; W. T. Stewardson of Santa Anna, Coleman County; Clyde Thate of Burkett, Coleman County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
January 26, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Judge of the Criminal District Court of Dallas County, effective February 1, 1953, to fill the unexpired term of Judge Robert A. Hall, resigned: Harold B. Wright of Dallas, Dallas County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
January 27, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a Member of the Board of Pardons and Paroles for six-year term to expire February 1, 1959: Jack Ross of Edinburg, Hidalgo County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Resolution Signed

The President pro tempore signed in the presence of the Senate, after

the caption had been read, the following enrolled resolution:

S. C. R. No. 3, In memory of D. F. Strickland.

House Bill on First Reading

The following bill, received from the House today, was read first time

and was referred to the committee indicated:

H. B. No. 144—To the Committee on Judicial Districts.

Recess

On motion of Senator Martin, the Senate at 11:02 o'clock a. m. took recess until 11:00 o'clock a. m. tomorrow.

In Memory of
John J. Gibson

Senator Fuller offered the following resolution:

(Senate Resolution 34)

Whereas, On the 5th day of December, 1951, John J. Gibson was called to his Heavenly reward; and

Whereas, Mr. Gibson's untimely death culminated an outstanding lifetime of leadership and service to his fellow man; and

Whereas, He was born in Panola County on December 20, 1888. On July 1, 1910, he married Miss Emma Lou Carsey of Dallas and to this union were born two daughters, Mrs. S. J. Vaughan and Mrs. James Massy of Dallas, all of whom survive him. In 1910 he moved to Dallas where he went into business for himself, establishing the first automotive electric business in Dallas; and

Whereas, He was a faithful and sincere Christian layman, being a loyal and active member of the East Texas Dallas Christian Church for many years; and also holding membership in various Masonic bodies, Rotary International, Dallas Athletic Club, the Executive Club, the Dallas Electric Club and the Salesmanship Club; and

Whereas, He was largely responsible for the rehabilitation of many boys and girls, and no activity challenged his interest and talent as did his work with crippled children. He was interested in many humanitarian causes, and his untiring labors and unselfish devotion make it difficult to evaluate the work of such a good man, or to account for his valuable services to his community and to society in general; and

Whereas, He filled all the years allotted to him with a devoted service to his family, his friends and to his community, being at all times ready and willing to help his fellow man. No one ever needed his friendship and found it wanting, and no little child ever needed his help that he, knowingly, failed to come to their aid and assistance; and

Whereas, It is the desire of the Senate of Texas to recognize and to pay tribute to the memory and to the useful life of this outstanding Texan and to express sympathy to his family; now, therefore, be it

Resolved, By the Senate of Texas, that the loss of this esteemed citizen and civic leader is a loss to the City of Dallas and to the entire State, and that a copy of this resolution be sent to the members of his family as a tribute to his life of unselfish service; and, be it further

Resolved, that when the Senate adjourns today it do so in respect to the memory of John J. Gibson.

FULLER
PARKHOUSE

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of

Tom C. Gooch

Senator Parkhouse offered the following resolution:

(Senate Resolution 35)

Whereas, Tom C. Gooch, Editor in Chief and Publisher of the Daily Times-Herald, passed from this life on June 13, 1952, ending a career of outstanding public service to his State and community; and

Whereas, Mr. Gooch was known to many of us as a man of the finest qualities, generous with his time and talents, and always mindful of the furtherance of the good of his fellow citizens; and

Whereas, Mr. Gooch worked closely in the best interests of public affairs while never seeking nor enjoying the benefits of public office, was Vice-President of the State Fair of Texas, Director of the Southwest Medical Foundation, Dallas Grand Opera Association, Dallas Citizens Council and other cultural and civic organizations; and

Whereas, Mr. Gooch built the Daily Times-Herald and its radio and television stations, KRLD and KRLD-TV, into instruments of public service to the City and County of Dallas, the State of Texas and the nation; and

Whereas, The death of Mr. Gooch has claimed from the State of Texas an outstanding and useful citizen; now, therefore, be it

Resolved, That the Senate of the 53rd Texas Legislature express its esteem for Mr. Gooch and its regret at his passing; and, be it further

Resolved, That when the Senate adjourns today it do so in respect to the memory of Tom C. Gooch.

The resolution was read and was adopted by a rising vote of the Senate.